

SECOND REGULAR SESSION

HOUSE BILL NO. 1528

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES WIELAND (Sponsor), NANCE AND BAHR (Co-sponsors).

5275L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 304.281, RSMo, and to enact in lieu thereof three new sections relating to intersection safety, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 304.281, RSMo, is repealed and three new sections enacted in lieu thereof, to be known as sections 304.281, 304.289, and 304.850, to read as follows:

304.281. 1. Whenever traffic is controlled by traffic control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors green, red and yellow shall be used, except for special pedestrian signals carrying a word legend, and said lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(1) Green indication:

(a) Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited;

(b) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection;

(c) Unless otherwise directed by a pedestrian control signal, as provided in section 304.291, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 (2) Steady yellow indication:

19 (a) Vehicular traffic facing a steady yellow signal is thereby warned that the related green
20 movement is being terminated or that a red indication will be exhibited immediately thereafter
21 when vehicular traffic shall not enter the intersection;

22 (b) Pedestrians facing a steady yellow signal, unless otherwise directed by a pedestrian
23 control signal as provided in section 304.291, are thereby advised that there is insufficient time
24 to cross the roadway before a red indication is shown and no pedestrian shall then start to cross
25 the roadway.

26 (3) Steady red indication:

27 (a) Vehicular traffic facing a steady red signal alone shall stop before entering the
28 crosswalk on the near side of the intersection at a clearly marked stop line but, if none, then
29 before entering the intersection and shall remain standing until an indication to proceed is shown
30 except as provided in paragraph (b);

31 (b) The driver of a vehicle which is stopped as close as practicable at the entrance to the
32 crosswalk on the near side of the intersection or, if none, then at the entrance to the intersection
33 in obedience to a red signal, may cautiously enter the intersection to make a right turn but shall
34 yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the
35 intersection, except that the state highways and transportation commission with reference to an
36 intersection involving a state highway, and local authorities with reference to an intersection
37 involving other highways under their jurisdiction, may prohibit any such right turn against a red
38 signal at any intersection where safety conditions so require, said prohibition shall be effective
39 when a sign is erected at such intersection giving notice thereof;

40 (c) Unless otherwise directed by a pedestrian control signal as provided in section
41 304.291, pedestrians facing a steady red signal alone shall not enter the roadway.

42 (4) In the event an official traffic control signal is erected and maintained at a place other
43 than an intersection, the provision of this section shall be applicable except as to those provisions
44 which by their nature can have no application. Any stop required shall be made at a sign or
45 marking on the pavement indicating where the stop shall be made, but in the absence of any such
46 sign or marking the stop shall be made at the signal.

47 **2. Notwithstanding any other law to the contrary, any red light traffic violation or**
48 **speed violation occurring on a roadway of this state, including violations recorded by an**
49 **automated traffic enforcement system as defined in section 304.850, shall be reported to**
50 **the department of revenue for assessment of points in accordance with section 302.302.**

51 **3. Notwithstanding the provisions of section 304.361, violation of this section is a class**
52 **C misdemeanor.**

2 **304.289.** The timing of any traffic-control signal shall conform to regulations
3 promulgated by the department of transportation. The department of transportation shall
4 establish minimal yellow light change interval times for traffic-control devices. The
5 minimal yellow light change interval time shall be established in accordance with
6 nationally recognized engineering standards set forth in the Manual on Uniform Traffic
7 Control Devices, and any such established time shall not be less than the recognized
8 national standard.

2 **304.850. 1.** The provisions of this section and sections 304.281 and 304.289 shall be
3 known and may be cited as the "Intersection Safety Act".

3 **2.** In jurisdictions utilizing automated traffic enforcement systems, any fines
4 imposed or collected for violations detected through the use of such systems shall go to the
5 local school district where the violation occurred and shall not be distributed through the
6 school funding mechanisms of section 163.031.

7 **3.** Jurisdictions utilizing automated traffic enforcement systems, and private
8 entities contracted to perform work relating to the utilization of such systems, shall be
9 prohibited from mailing fine collection letters after one year from the date the violation
10 occurred.

11 **4.** For purposes of this section, an "automated traffic enforcement system" means
12 a camera or optical device designed to record images that depict the motor vehicle, the
13 motor vehicle operator, the license plate of the motor vehicle or other images to establish
14 evidence that the motor vehicle or its operator is not in compliance with a law, ordinance,
15 or regulation. Automated traffic enforcement systems shall also include automated speed
16 enforcement systems. As used in this section, the term "automated speed enforcement
17 system" means a device with one or more motor vehicle sensors, including, but not limited
18 to, photographic devices, radar devices, laser devices, or other electrical or mechanical
19 devices, designed to record the speed of a motor vehicle and to obtain a clear photograph
20 or other recorded image of the motor vehicle and the motor vehicle's license plate, which
21 automatically produces one or more photographs, one or more microphotographs, a
22 videotape, or other recorded image of a motor vehicle at the time it is used or operated in
23 violation of the posted speed limit.

24 **5.** The department of transportation shall promulgate rules and regulations
25 relating to the use of automated traffic enforcement systems. Any rule or portion of a rule,
26 as that term is defined in section 536.010, that is created under the authority delegated in
27 this section shall become effective only if it complies with and is subject to all of the
28 provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536
29 are nonseverable and if any of the powers vested with the general assembly pursuant to

30 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
31 subsequently held unconstitutional, then the grant of rulemaking authority and any rule
32 proposed or adopted after August 28, 2012, shall be invalid and void.

✓